

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

WILLYSTINE THOMAS CREGGETT
ADC #703197

PLAINTIFF

V.

1:06CV00013 JMM/JTR

LARRY NORRIS, Director,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects with the exception that the name of defendant Maples is substituted for the name of defendant Bradshaw in sentence one of the Conclusion of the Proposed Findings and Recommended Partial Disposition.

. IT IS THEREFORE ORDERED that:

1. Separate Defendants Norris and Maples are DISMISSED, WITHOUT PREJUDICE, because Plaintiff has failed to state viable § 1983 claims against them.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.
3. The Clerk is directed to prepare a summons for Defendants Bradshaw and Matthews, and the United States Marshal is directed to serve the summons, the Complaint (docket entry #2), and this Order upon those two Defendants through the Humphries and Lewis law firm, without prepayment of fees and costs or security therefor.

4. If any of the Defendants are no longer CMS employees, the Humphries and Lewis law firm shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.

5. The Clerk is directed to prepare a summons for Defendants Zomant, Dicus, Capel, Dixon, and Dean, and the United States Marshal is directed to serve the summons, the Complaint (docket entry #2), and this Order upon those five Defendants through the ADC Compliance Division, without prepayment of fees and costs or security therefor.

6. If any of the Defendants are no longer ADC employees, the ADC Compliance Office shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.

Dated this 24 day of April, 2006.


UNITED STATES DISTRICT JUDGE

